

104TH CONGRESS  
1ST SESSION

# S. 375

To impose a moratorium on sanctions under the Clean Air Act with respect to marginal and moderate ozone nonattainment areas and with respect to enhanced vehicle inspection and maintenance programs, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 8 (legislative day, JANUARY 30), 1995

Mr. ABRAHAM introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To impose a moratorium on sanctions under the Clean Air Act with respect to marginal and moderate ozone nonattainment areas and with respect to enhanced vehicle inspection and maintenance programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. OZONE NONATTAINMENT AREAS.**

4 (a) IN GENERAL.—During the 2-year period begin-  
5 ning on the date of enactment of this Act, the Adminis-  
6 trator of the Environmental Protection Agency shall take  
7 no enforcement action with respect to an area designated

1 nonattainment for ozone that is classified as a Marginal  
2 Area or Moderate Area under section 181 of the Clean  
3 Air Act (42 U.S.C. 7511).

4 (b) DEFINITION.—In this section, the term “enforce-  
5 ment action” means—

6 (1) the withholding of a grant under section  
7 105 of the Clean Air Act (42 U.S.C. 7405);

8 (2) the promulgation of a Federal implementa-  
9 tion plan under section 110(c) of the Clean Air Act  
10 (42 U.S.C. 7410); and

11 (3) the imposition of a sanction under section  
12 110(m) or 179 of the Clean Air Act (42 U.S.C.  
13 7410(m), 7509).

14 (c) APPLICABILITY.—Subsection (a) does not pre-  
15 clude the continued application of a sanction that was im-  
16 posed prior to the date of enactment of this Act.

17 **SEC. 2. ENHANCED VEHICLE INSPECTION AND MAINTENANCE PROGRAMS.**  
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19 During the 2-year period beginning on the date of  
20 enactment of this Act, the Administrator of the Environ-  
21 mental Protection Agency and the Administrator of the  
22 Federal Highway Administration of the Department of  
23 Transportation may not take any adverse action, against  
24 a State with respect to a failure of an enhanced vehicle  
25 inspection and maintenance program under section

1 182(c)(3) of the Clean Air Act (42 U.S.C. 7511a(c)(3)),  
2 under—

3 (1) section 176 of the Clean Air Act (42 U.S.C.  
4 7506);

5 (2) chapter 53 of title 49, United States Code;

6 (3) subpart T of part 51, or subpart A of part  
7 93, of title 40, Code of Federal Regulations (com-  
8 monly known as the “transportation conformity  
9 rule”); or

10 (4) part 6, 51, or 93 of title 40, Code of Fed-  
11 eral Regulations (commonly known as the “general  
12 conformity rule”).

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